

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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KEITH STANSELL ET AL., :
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Plaintiffs, :
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-against- : **16-MC-405 (ALC)**
REVOLUTIONARY ARMED FORCES OF :
COLOMBIA (FARC) ET AL., :
:
Defendants. :
:
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ANDREW L. CARTER, JR., District Judge:

The Court is in receipt of Mr. Caballero's letters dated January 14 and January 18, 2021, ECF Nos. 134, 140, and Plaintiffs' response dated January 20, 2021, ECF No. 153. The Court is also in receipt of Mr. Caballero's letter dated January 25, 2021. ECF No. 156. Upon review of the submissions, Mr. Caballero is hereby GRANTED leave to intervene to challenge *existing* writs sought by Plaintiffs in this Court as of the date of this Order. However, Mr. Caballero may not seek to intervene to challenge the writs sought by Plaintiffs as to Sumitomo Mitsui Banking Corporation ("SMBC") and Interactive Brokers, LLC. Mr. Caballero shall file a consolidated motion to intervene by no later than February 4, 2021. Plaintiffs shall file an opposition brief by no later than February 18, 2021. Mr. Caballero may file a response by no later than February 25, 2021. This replaces the schedule previously issued. ECF No. 129.

Mr. Caballero's motion to intervene to challenge the writ sought as to SMBC is moot given that SMBC seeks interpleader and will join Mr. Caballero. ECF No. 154, 157.

Mr. Caballero has informed this Court that on January 14, 2021 Judge Chatigny issued a Turnover Order as to Interactive Brokers, LLC in favor of Mr. Caballero. *Caballero v. Fuerzas Armadas Revolucionarias De Colombia*, No. 3:20-cv-1939, ECF No. 53 (D. Conn. Jan. 14,

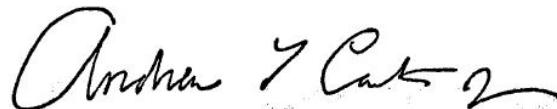
2021). Furthermore, on January 25, 2021, Interactive Brokers, LLC filed a Notice and Claim for Determination of Disputed Property requesting a hearing for a determination of the competing claimed interests in the Blocked Assets held by Interactive Brokers, LLC, specifically between the Stansell/Pescatore Plaintiffs and Mr. Caballero. No. 3:20-cv-1939, ECF No. 59 (D. Conn. Jan. 25, 2021).

Because the District of Connecticut has, and has exercised, jurisdiction over these assets and Interactive Brokers, LLC has requested the Court to conduct “a single proceeding to adjudicate the disputed claims,” *id.*, and in the interest of judicial economy and to avoid duplicative and/or conflicting orders, this Court declines to rule on the turnover motion related to those assets.

The Clerk of Court is directed to terminate ECF No. 136.

SO ORDERED.

Dated: **January 27, 2021**
 New York, New York



ANDREW L. CARTER, JR.
United States District Judge